

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

Jaime Obregon Acosta, individually )  
and on behalf of others similarly )  
situated, )

Plaintiff, )

v. )

SMART Alabama, LLC; and AGWM )  
United, LLC; Total Employee )  
Solution Support, LLC; WK LAW )  
Group, PC; and Woon Kim, )

Defendants. )

Case No.: 1:22-cv-01209-TWT

**DEFENDANTS' MOTION TO DISMISS COUNT I AND COUNT V OF  
PLAINTIFF'S FIRST AMENDED CLASS ACTION COMPLAINT**

Defendants WK Law Group, PC and Woon Kim, pursuant to Fed. R. Civ. P. 12(b)(6) hereby move this Court to dismiss Count I and Count V of Plaintiff's First Amended Class Action Complaint for failure to state a claim.

Plaintiff does not have standing to sue WK Law Group, PC and Woon Kim, and has not sufficiently alleged a RICO or fraud claim against WK Law Group, PC and Woon Kim. For these reasons, and for those set forth in more detail in WK Law Group, PC and Woon Kim's Memorandum of Law contemporaneously filed with this Motion, WK Law Group, PC and Woon Kim respectfully move this Court for an order dismissing Plaintiff's First Amended Complaint with prejudice.

Dated: September 30, 2022

Respectfully submitted,

By: /s/ Betsy Bulat

Betsy Bulat

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**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1**

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Times New Roman and a font size of 14.

/s/ Betsy Bulat  
Betsy Bulat

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on September 30, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will automatically send e-mail notification to the following counsel of record:

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